## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

UNITED STATES COURTS SOUTHERN DISTRICT OF TEXAS ENTERED APR - 7 2003

CLONTECH LABORATORIES, INC.,

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Michael N. Milby, Clerk of Court

Plaintiff,

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Civil Action No. H02-0017

BAYLOR COLLEGE OF MEDICINE and BCM TECHNOLOGIES, INC.,

Defendants.

## STIPULATION AND ORDER OF DISMISSAL

The defendants, Baylor College of Medicine and BCM Technologies, Inc., and non-party Invitrogen Corporation, having covenanted not to assert the disputed patent against plaintiff Clontech Laboratories, Inc., according to the terms set forth in Exhibit A, and the parties hereby stipulating to dismissal, this action is dismissed pursuant to Fed. R. Civ. P. 41(a)(1)(ii), with all costs taxed against the party incurring same.

So ordered this 7 day of March, 2003.

United States District Judge

**AGREED:** 

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